

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAEVON MARKELL TURNER,

Plaintiff,

v.

BUTLER, et al.,

Defendants.

C21-5070 TSZ

ORDER

THIS MATTER comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Michelle L. Peterson, United States Magistrate Judge, docket no. 41. Having reviewed the R&R, to which no objections were filed,<sup>1</sup> the Court hereby finds and ORDERS:

(1) The R&R, docket no. 41, is ADOPTED.

(2) Defendants’ Motion for Summary Judgment, docket no. 36, is GRANTED.

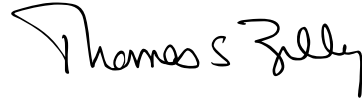
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<sup>1</sup> The Washington Department of Corrections (“DOC”) website reflects that Plaintiff is no longer in DOC custody. *See* <https://www.doc.wa.gov/information/inmate-search/> (last visited March 18, 2022). The R&R, docket no. 41, was entered on February 9, 2022. On February 11, 2022, Plaintiff’s copy of the R&R was returned as undeliverable. According to Washington Corrections Center (“WCC”) staff, Plaintiff was transferred to the South Correctional Entity (“SCORE”) in Des Moines, Washington. As noted in the docket, Plaintiff’s copy of the R&R was mailed to SCORE on February 11, 2022. SCORE’s website shows that Plaintiff was booked into the facility on February 7, 2022 and released on February 18, 2022. *See* <https://jils.scorejail.org/view> (last visited March 23, 2022). As of the date of this Order, the copy of the R&R mailed to SCORE on February 11, 2022 has not been returned as undeliverable.

1 (3) Plaintiff's Amended Complaint, docket no. 15, and this action are  
2 DISMISSED with prejudice.

3 (4) The Clerk is DIRECTED to enter judgment consistent with this Order, to  
4 CLOSE this case, and to send a copy of this Order to all counsel of record, plaintiff pro  
5 se, and Judge Peterson.

6 Dated this 28th day of March, 2022.



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8 Thomas S. Zilly  
9 United States District Judge